

Engineering

FILED

JAN 17 2008

**RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE**

10 WILLIE WEAVER
11 Plaintiff,
12 vs.
13 PELICAN BAY STATE
14 PRISON Defendant.

CASE NO.

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

JW
(PR)

15 I, WILLIE WEAKER, declare, under penalty of perjury that I am the
16 plaintiff in the above entitled case and that the information I offer throughout this application
17 is true and correct. I offer this application in support of my request to proceed without being
18 required to prepay the full amount of fees, costs or give security. I state that because of my
19 poverty I am unable to pay the costs of this action or give security, and that I believe that I am
20 entitled to relief.

In support of this application, I provide the following information:

23. 1 Are you presently employed? Yes No ✓

23 If your answer is "yes," state both your gross and net salary or wages per month, and give the
24 name and address of your employer:

26 Gross: _____ Net: _____

27 Employer: _____

28

26 28

1. *What is the primary purpose of the study?*

O PROC. IN FORMA PAUPERIS - 1 -

10. *What is the primary purpose of the following statement?*

- 1 -

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 SACRAMENTO AIR PORT 300 WEEKLY
 5 12 monthly
 6

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

9 a. Business, Profession or Yes No

10 self employment

11 b. Income from stocks, bonds, Yes No

12 or royalties?

13 c. Rent payments? Yes No

14 d. Pensions, annuities, or Yes No

15 life insurance payments?

16 e. Federal or State welfare payments, Yes No

17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes No

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).

5 _____

6 _____

7 5. Do you own or are you buying a home? Yes No

8 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

9 6. Do you own an automobile? Yes No

10 Make _____ Year _____ Model _____

11 Is it financed? Yes No If so, Total due: \$ _____

12 Monthly Payment: \$ _____

13 7. Do you have a bank account? Yes No (Do not include account numbers.)

14 Name(s) and address(es) of bank: _____

15 _____

16 Present balance(s): \$ _____

17 Do you own any cash? Yes No Amount: \$ _____

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated

19 market value.) Yes No

20 _____

21 8. What are your monthly expenses?

22 Rent: \$ _____ Utilities: _____

23 Food: \$ _____ Clothing: _____

24 Charge Accounts:

<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)
3 _____
4 _____

5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes No
7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.
9 _____
10 _____

11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15 12/20/07

16 DATE

17 SIGNATURE OF APPLICANT

Willie Weaver

1 Case Number: _____
2
3
4
5
6

7 **CERTIFICATION OF FUNDS**

8 **IN**

9 **PRISONER'S ACCOUNT**

10
11 I certify that attached hereto is a true and correct copy of the prisoner's trust account
12 statement showing transactions of Willie Eugene Weaver J91389 for the last six months at
13 Pelican Bay State Prison where he is confined.

14
15 I further certify that the average deposits each month to this prisoner's account for the
16 most recent 6-month period were \$13.13 and the average balance in the prisoner's account each
17 month for the most recent 6-month period was \$17.55. (20% = \$3.51)
18

19
20
21
22 Dated: 12/20/07

23 L. U. Lee and I. S. S.
24 Authorized officer of the institution
25
26



27 THE WITHIN INSTRUMENT IS A CORRECT
28 COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST: 12-20-07
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. Klenain
TRUST OFFICE

PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUN. 01, 2007 THRU DEC. 19, 2007

ACCT: J91389

ACCT NAME: WEAVER, WILLIE EUGENE

ACCT TYPE: I

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 01/19/96
COUNTY CODE: SACCASE NUMBER: 94F09335
FINE AMOUNT: \$ 5,600.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
06/01/2007		BEGINNING BALANCE		5,393.82
07/11/07	DR30	REST DED-CASH DEPOSIT	75.00-	5,318.82
11/27/07	DR30	REST DED-CASH DEPOSIT	12.50-	5,306.32

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
 * IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
10.62	84.07	94.64	0.05	5.32	0.00



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CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. K. Lepain
TRUST OFFICE

CURRENT
AVAILABLE
BALANCE

5.27-

CALIFORNIA DEPARTMENT OF CORRECTIONS
 PELICAN BAY STATE PRISON
 INMATE TRUST ACCOUNTING SYSTEM
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUN. 01, 2007 THRU DEC. 19, 2007

ACCOUNT NUMBER : J91389
 ACCOUNT NAME : WEAVER, WILLIE EUGENE
 PRIVILEGE GROUP: D

BED/CELL NUMBER: BF02U 0000002105
 ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

TRAN DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
06/01/2007		BEGINNING BALANCE					10.62
07/05	D320	TRUST FUNDS T 0078 CCI			5.32		15.94
07/11*	DD30	CASH DEPOSIT 0197 #006			67.50		83.44
07/19	W215	FEDERAL FILIN 0351 03/02				2.57	80.87
07/19	W212	FEDERAL FILIN 0351 03/02				2.57	78.30
07/19	W212	FEDERAL FILIN 0351 03/02				2.57	75.73
07/19	W212	FEDERAL FILIN 0351 03/02				2.57	73.16
07/19	W212	FEDERAL FILIN 0351 03/02				2.57	70.59
07/19	W214	FEDERAL FILIN 0351 03/02				2.57	68.02
07/19	W214	FEDERAL FILIN 0351 03/02				2.57	65.45
07/19	W211	FEDERAL FILIN 0351 03/02				9.35	56.10
07/19	W215	FEDERAL FILIN 0351 07/11				9.35	46.75
07/19	W212	FEDERAL FILIN 0351 07/11				9.35	37.40
07/19	W212	FEDERAL FILIN 0351 07/11				9.35	28.05
07/19	W212	FEDERAL FILIN 0351 07/11				9.35	18.70
07/19	W214	FEDERAL FILIN 0351 07/11				9.35	9.35
07/19	W214	FEDERAL FILIN 0351 07/11				9.35	0.00
07/19	W211	FEDERAL FILIN 0351 07/11				9.35	11.25
11/27*	DD30	CASH DEPOSIT 2318 ML101		11.25			11.25
11/27	W211	FEDERAL FILIN 2333 11/27				1.40	9.85
11/27	W214	FEDERAL FILIN 2333 11/27				1.40	8.45
11/27	W215	FEDERAL FILIN 2333 11/27				1.40	7.05
11/27	W212	FEDERAL FILIN 2333 11/27				1.40	5.65
11/27	W212	FEDERAL FILIN 2333 11/27				1.40	4.25
11/27	W212	FEDERAL FILIN 2333 11/27				1.40	2.85
11/27	W214	FEDERAL FILIN 2333 11/27				1.40	1.45
11/27	W211	FEDERAL FILIN 2333 11/27				1.40	0.05

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
07/31/2007	H103	DAMAGES-REFUSED TO SIGN HOLD	0506 CCI	2.87
07/31/2007	H103	DAMAGES-REFUSED TO SIGN HOLD	0506 CCI	2.45



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 TRUST OFFICE